

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: OCTOBER 8, 2004

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #6 – LAFCO 2933 – Service Review and Sphere of Influence Update for the Beaumont-Cherry Valley Water District

INITIATED BY:

San Bernardino Local Agency Formation Commission

RECOMMENDATION:

1. Determine that LAFCO 2933 is statutorily exempt from environmental review and direct the Clerk to file a Notice of Exemption within five days;
2. Make the findings related to a service review required by Government Code Section 56430 and determine that the existing sphere of influence for the Beaumont-Cherry Valley Water District should be affirmed as presently configured; and,
3. Adopt LAFCO Resolution #2840 setting forth the Commission's findings and determinations on this issue.

BACKGROUND INFORMATION:

This item was originally heard by the Commission at its August 18, 2004 hearing. The item was continued to the October hearing with the direction to staff to contact representatives of the District once again for their participation in the service review/sphere update process. On August 27th, a letter was forwarded to the District asking for participation in the review process, providing a supplemental copy of the staff report prepared for the August 18th Hearing, and asking for comments by no later than October 6th.

On September 24th, staff received a letter from the District expressing concern over the matter of the “service area” of the District as identified in the staff report but no other concerns were identified (Attachment #1). Staff in turn contacted the General Manager of Beaumont-Cherry Valley Water District, Mr. C. J. Butcher, to review this boundary question. During this telephone conversation, staff has confirmed that the “service area” identified in the correspondence outlines the actual land holdings of the District within San Bernardino County, while the defined jurisdictional boundary within San Bernardino County is confined to 5.25 acres along Oak Glen Road as outlined in the report (maps showing this boundary included as Attachment #2). No other comments regarding the prior staff report were submitted.

The letter goes on to identify a proposal to be presented to the Riverside LAFCO in the near future for the annexation of territory both within San Bernardino and Riverside Counties. The letter indicates that it will be proposing that all “District property” within San Bernardino County will be included within this annexation proposal. Staff has confirmed with Mr. Butcher that the anticipated application will include the whole of the District’s sphere of influence within San Bernardino County. As identified in the original report prepared for this service review/sphere update (copy included as Attachment #3), LAFCO staff for San Bernardino County will seek to be assured that this Commission’s policies regarding the concurrent annexation of territory to the appropriate water wholesaler is applied by Riverside County LAFCO as it conducts its principal county proceedings for this anticipated annexation.

Staff reiterates its findings and determination as outlined in the original staff report and draft resolution prepared for the service review/sphere of influence update for the Beaumont-Cherry Valley Water District. In doing so, staff recommendation is that the existing sphere of influence for the Beaumont-Cherry Valley Water District be affirmed.

/krm

Attachments:

1. September 23, 2004 Letter from Beaumont-Cherry Valley Water District
2. Maps of District Sphere of Influence within San Bernardino County and Regional Water Providers
3. Original Staff Report without Attachments for LAFCO 2933 dated August 9, 2004
4. Response from Tom Dodson and Associates
5. Draft Resolution #2840